

STATUTES
OF
UPPER-CANADA,

PASSED IN THE FIRST SESSION OF THE EIGHTH PROVINCIAL
PARLIAMENT,

MET AT YORK, ON THE THIRTY-FIRST DAY OF JANUARY, AND PROROGUED ON THE
FOURTEENTH DAY OF FEBRUARY FOLLOWING, IN THE SECOND YEAR
OF THE REIGN OF GEORGE IV.

SIR PEREGRINE MAITLAND, K. C. B. LIEUTENANT GOVERNOR.

ANNO DOMINI 1821.

—:§:—
C H A P. I.

An Act to repeal an Act passed in the first year of His Majesty's Reign, entitled "An Act to regulate the Commercial Intercourse between this Province and the United States of America, by land and inland navigation," and further to regulate the Trade between this Province and the United States of America, by land and inland navigation.

[Passed 14th April, 1821.]

WHEREAS it is expedient further to provide for the Commercial Intercourse between this Province and the United States of America, and to repeal the laws now in force relative thereto: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That an Act of the Parliament of this Province, passed in the first year of His present Majesty's Reign, entitled "An Act to regulate the Commercial Intercourse between this Province and the United States of America, by land and inland navigation," be and the same is hereby repealed.

Preamble.

II. *And be it further enacted by the authority aforesaid,* That the following articles of the growth produce or manufacture of the United States of America, may during the continuance of this Act, be imported into this Province, from the territories of the said United States of America, on payment of the several duties respectively affixed to the same, that is to say,

1st Geo. 4 ch 1, re-
pealed.

Articles which may be imported from the United States on payment of the duties respectively annexed to them.

Beer in Bottles six shillings per dozen.
 Beer in Casks, one shilling per gallon.
 Cable and tarred Rope, three pence per pound.
 Cordage untarred, three pence per pound.
 Cider, one shilling per gallon.
 Salt, six-pence per bushel.
 Sole Leather, three pence per pound.
 Calf Skins and Skins dressed as upper leather, two shillings and six-pence each.
 Harness Leather, four pence per pound.
 Nails, two pence per pound.
 Pork, twenty shillings per barrel.
 Pork not in barrel, ten shillings per hundred weight.
 Manufactured Tobacco, three pence per pound.
 Beef, fifteen shillings per barrel.
 Beef, ten shillings per hundred pounds.
 Distilled Spirits, two shillings and six pence per gallon.
 Shoes, five shillings per pair.
 Boots, fifteen shillings per pair.
 Boards of Pine, twenty shillings per 1000 feet.
 Boards of Oak, twenty shillings per 1000 feet.
 Lumber of Pine, twenty shillings per 1000 feet.
 Lumber of Oak, twenty shillings per 1000 feet.
 All other Lumber hewed or sawed, thirty shillings per 1000 feet.
 Shingles, five shillings per 1000.
 Oxen, fifty shillings per head.
 Young Cattle from two to four years old, thirty-five shillings per head.
 Cows, twenty five shillings per head.
 Sheep, one shilling per head.
 Live Hogs, twenty shillings per head.
 Flour, ten shillings per barrel, of one hundred and ninety-six pounds.
 Flour, six shillings per hundred weight.
 Wheat, two shillings and six-pence per bushel.
 Indian Corn, two shillings per bushel.
 Rye, two shillings per bushel.
 Barley, two shillings per bushel.
 Oats, one shilling per bushel.
 Potatoes, one shilling per bushel.
 Apples, one shilling per bushel.
 Butter, six-pence per pound.
 Cheese, six-pence per pound.
 Hog's Lard, six pence per pound.
 Ham and Bacon, six-pence per pound.
 Chord Wood or Wood intended for fuel, five shillings per Chord.
 Flax-seed Oil, one shilling per gallon.

Ad valorem duty on other articles—10 per cent.

And all other goods, wares, and merchandize, not herein before enumerated, the growth, produce or manufacture of the said United States of America, a duty of ten pounds, on every hundred pounds, ad valorem, of the value of such goods, wares and merchandize as aforesaid. *Provided always, That on*

all kinds of iron castings, and tin ware, there be a duty of twenty pounds on every hundred pounds of the value thereof.

20 per cent on iron castings and tin ware.

III. *Provided always*, That nothing in this Act contained, shall extend or be construed to extend to prevent, or in any wise prohibit the importation, free from the payment of any duty, of the following articles being the growth, produce or manufacture of the said United States of America; unmanufactured Tobacco, Cotton Wool, Tallow, Raw Hides, Printing Paper, the personal Baggage, travelling Horse or Horses, travelling Carriage or Carriages, of any person or persons, subjects or foreigners, who may lawfully come into or reside in this Province.

Certain articles exempt from duty.

IV. *Provided always*, That nothing in this Act contained, shall extend or be construed to extend to prohibit the admission of Flour, Pork and other Provisions, Pot and Pearl Ashes, Salt, Lumber, Wheat, Meal and Grain, Furs and Skins undressed, into this Province free of duty, for exportation only; and *Provided also*, That the Importer of such goods, or the consignee thereof, is hereby required, before landing the same, to enter into a bond in double the amount of the value thereof, that the same shall be exported from this Province, which Bond shall be made out by the Collector on payment of two shillings and six-pence for the same. *Provided always*, That all such articles as last aforesaid, shall be entered and reported according to Law, on their importation into this Province.

Others to be admitted free of duty for exportation only.

Bonds for exportation to be given, and articles entered and reported.

V. *And be it further enacted by the authority aforesaid*, That from and after the passing of this Act, there shall be paid on all vessels or boats, the property of the citizens of the United States of America, coming into any of the ports of this Province the following duties, namely; on all vessels above five ton to fifty tons, the tonnage duty of six-pence per ton; on all vessels above fifty tons, one shilling per ton; *Provided always*, that whenever any ship or vessel laden as aforesaid, the cargo or load whereof is intended to be imported, in order to be transported to Lower Canada, the master or other person having charge or command of such ship or vessel, or the agent or agents for the proprietor or proprietors thereof, shall forthwith on the arrival at any such Port or Ports of Entry as aforesaid, make a report and declaration thereof, to the Collector or to his deputy, stationed at such Port or Ports of Entry, and such report and declaration shall be verified upon oath, and such master or person commanding such vessel, or agent or agents for the proprietor, if required, shall, and he is hereby required to enter into a Bond in double the amount of the tonnage duty imposed by this Act, for the payment thereof, should the whole or any part of such goods wares and merchandize remain in or be unexported from this Province; *provided also*, that nothing in this Act contained shall extend, or be construed to extend to compel the payment of any tonnage duty on vessels exclusively employed for the purpose of transporting passengers and their baggage.

Tonnage duty on American vessels.

Vessels laden with goods in transitu for Lower Canada to report.

Bond to be given.

Vessels employed only in transporting passengers to pay no tonnage duty.

VI. *Provided always, and be it further enacted by the authority aforesaid*, That nothing in this Act contained shall extend or be construed to extend to authorise the demand of tonnage duty on any such vessel laden exclusively with goods, wares and merchandize in transitu, or for exportation, to Lower Canada, or with Salt, or other commodities, in transitu from Queenston to Fort Erie, secured to be re-exported to the United States.

nor vessels laden with goods in transitu or for exportation.

VII. *And be it further enacted by the authority aforesaid*, That it shall and

Goods entered free of duty for exportation may be afterwards entered for home consumption on payment of duties.

Ad valorem duty how ascertained.

If goods subject to an ad valorem duty appear to be under-valued by the owner or his agent the Collector may take them at the valuation given and 10 per cent over.

Distribution of the amount they may be sold for by the Collector above the value inserted in the owner's report.

Settlers coming into this Province may import free of duty 4 oxen 4 cows and 25 sheep, on making oath that the same were not brought in for sale and that they intend to settle in the Province.

may be lawful for the owner or owners, agent or agents, of all such persons or persons as shall or may import any such goods, wares or merchandize, hereby authorized to be imported free of duty, for exportation, to enter the whole or any part thereof for home consumption, on payment or securing the payment of the duties imposed by this Act, at the port where the same shall be deposited at the time of making such entry as aforesaid.

VIII. *And be it further enacted by the authority aforesaid,* That the value of all goods and merchandize subject to a duty, ad valorem, by this Act, shall be deemed and taken to be the value at the port or place of entry, as stated in the report of the same, made by the master of any vessel, boat, raft or carriage, or by the owner or agent of the owner of such goods.

IX. *Provided always, and it is hereby enacted by the authority aforesaid,* That if upon view and examination of the said goods wares and merchandize, by the proper officer or officers of the Customs, it shall appear to him or them, that the same are not valued according to the true price or value thereof, and according to the true intent and meaning of this Act, then it shall and may be lawful for such officer or officers to detain such goods, wares or merchandizes, and to cause the same to be properly secured, and to take such goods, wares and merchandizes for the benefit of the Crown, within two days from the landing thereof; and the Collector or his deputy shall out of any monies in his hands arising by Customs or other duties belonging to the Crown, pay to the importer or proprietor on demand the value so stated in such report, and an addition of ten per centum thereon, and also the Customs and other duties which shall have been paid for such goods, taking a receipt for the same from such importer or proprietor, in full satisfaction for the said goods, as if they had been sold. And it shall be lawful for the said Collector or his deputy, (whether the value of the goods, and ten per centum thereon, and the duties which shall have been paid for such goods, be demanded or not, or whether the receipt herein ordered to be taken, be given or not) to cause the said goods to be publicly sold for the best advantage, and out of the produce thereof, the money so as aforesaid directed to be paid for such goods, shall be paid to the said Collector or his deputy, to be replaced to such funds whence he borrowed the same, provided the same shall have been paid by him, but if it has not, then the same shall remain in the hands of the said Collector or his deputy, until the importer or proprietor shall demand the same and give a receipt as herein before directed; and after deducting from the overplus, if any, the charges arising from the detaining securing and sale of such goods, the said Collector or his deputy shall be entitled to retain as an encouragement for the discharge of his duty therein, one moiety of the remainder of such overplus, if any, and the other moiety shall be paid into the hands of the Receiver General of this Province, to be accounted for by him.

X. *And be it further enacted by the authority aforesaid,* That any person who may lawfully come into this Province as a settler, upon taking the following oath:

“ I A. B. Do solemnly swear, that the (Oxen or Cows, &c. as the case may be,) brought into this Province by me, are bona fide my own property, and that I have not imported the same for the purpose of selling the whole or any part thereof, and that I have come into this Province with intention to settle therein—So help me God,” shall be entitled to import into the Pro-

vince; free from the payment of any duty whatever, four Oxen, four Cows, and twenty-five Sheep.

XI. *And be it further enacted by the authority aforesaid,* That all monies collected under and by virtue of this Act, shall be paid into the hands of the Receiver General, to and for the uses of His Majesty, His Heirs and Successors for the public uses of this Province, and towards the support of the Government thereof, to be accounted for to His Majesty, through the Lords Commissioners of His Treasury for the time being, in such manner as it shall please His Majesty to direct.

Application of monies collected under this Act

XII. *And be it further enacted by the authority aforesaid,* That this Act shall be in force for two years, and from thence until the end of the next ensuing Session of Parliament and no longer.

Act to continue for two years and from thence to the end of the next session of Parlt'

C H A P. II.

An Act to make provision for the Improvement of the INTERNAL NAVIGATION of this Province:

[Passed 14th April, 1821.]

WHEREAS an Act was passed in the fifty-ninth year of His late Majesty's Reign, entitled "An Act granting to His Majesty a sum of money for the Survey of the Waters of the St. Lawrence and for other purposes therein mentioned" And whereas it is expedient to provide means for ascertaining the practicability of improving the Internal Communications of the Province by Inland Navigation; and also for procuring plans and estimates of the expence necessary to be incurred for that purpose, and also to repeal the said Act: Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That the said first recited Act shall be and the same is hereby repealed.

59th Geo 3 sess. 2. c 13, recited.

and repealed.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government of this Province, to appoint five Commissioners, two of whom with the President to be a Quorum, for the purpose of exploring surveying and levelling the most practicable routes, for opening a communication by Canals and Locks between Lake Erie and the Eastern boundary of this Province.

The Governor, &c. may appoint five Commissioners (two with the President to be a quorum) to explore survey and level the most practicable routes for Canals between Lake Erie and the Eastern extremity of the Province.

III. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall choose one of their number to be President of their Board, and shall appoint a fit person to be Secretary, who shall be allowed and paid such salary as the said Commissioners shall deem proper and reasonable: and the President of the said Board of Commissioners, shall have power to call a Meeting of the same, whenever in his opinion the public interests require it; and the said Board may adjourn from time to time, to meet at any time and

The Comm'rs. to appoint a President and Secretary.

Meetings to be called by the President.

Adjournments to be at the discretion of the Board.

Commrs. may employ Agents, Engineers, Surveyors, &c. and pay them.

place they may deem most conducive to the public good : And further the said Commissioners shall have power to employ such and so many Agents, Engineers, Surveyors, Draftsmen and other persons, as in their opinion may be necessary to enable them to fulfil and discharge the duties imposed upon them by this Act, and to allow and pay the said Agents, Engineers, Surveyors, Draftsmen and other persons for their respective services, such sum or sums as may be adequate and reasonable.

Duties of the Commissioners.

IV. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said Commissioners as soon as may be after the passing of this Act. to cause those parts of this Province, which may lie upon or contiguous to the probable courses and ranges of the said Canals, to be explored and examined for the purpose of fixing and determining the most eligible and proper routes for the same, and to cause all necessary Surveys and Levels to be taken, and accurate Maps, Field Books and Drafts thereof to be made, and further to adopt and recommend proper plans for the construction of and formation of the said Canals, and of the locks, dams, embankments, tunnels, and aqueducts which may be necessary for the completion of the same ; and to cause all necessary Plans, Drafts and Models thereof to be executed under their direction, and also to devise ways and means for completing the said Canals.

Plans and estimates to be made, which together with all maps field books &c. &c. the Commrs. shall transmit to the Governor, &c. accompanied by a report of all their proceedings to be laid before the Prov. Parliam't within 20 days after their session in 1822.

V. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said Commissioners to make or cause to be made with as much accuracy and minuteness as may be, calculations and estimates of the sum or sums of money which will be necessary for completing the said Canals, according to the plan or plans which may be adopted and recommended by them for the construction or formation of the same ; and to cause the said calculations and estimates, and all Surveys, Maps, Field Books, Plans, Drafts and Models authorized and directed by this Act, or so many thereof as may be completed, together with a plain and comprehensive Report of all their proceedings under and by virtue of this Act, to be transmitted to the Governor, Lieutenant Governor or Person administering the Government of this Province, to be laid before the Provincial Parliament, within twenty days after the Session which will be in the year of our Lord one thousand eight hundred and twenty-two.

Governor to issue his warrant in favor of the Commrs. for such sums of money not exceeding in the whole £20000 as shall be required to defray the expences of carrying this Act into effect. to be accounted for to the Lords Comm. of E. M. Treasury.

VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government of this Province, from time to time during the continuance of this Act, to issue his Warrant to the Receiver General in favor of the said Commissioners for such sum or sums of money not exceeding in the whole the sum of Two Thousand Pounds Currency, to enable them to pay the necessary expenses to be incurred in carrying into effect the provisions of this Act, which sum or sums of money, shall be paid out of any monies now in the hands of or which may hereafter come into the hands of the said Receiver General, and unappropriated, and shall be accounted for to His Majesty through the Lords Commissioners of His Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct : *provided always,* That an account in detail of all monies paid under the authority of this Act, be transmitted to be laid before the Commons House of Assembly, at the then next ensuing

Account in detail to be laid before the House of Assembly at their next session and

Session of Parliament, and *provided also*, that so much of the said sum as shall remain unexpended shall be subject to the future disposition of Parliament.

the amount unexpended to be subject to the future disposition of Parlt.

VII. *And be it further enacted by the authority aforesaid*, That this Act shall continue and be in force for the space of three years and no longer.

Continuance of this Act

C H A P. III.

An Act to repeal part of an Act passed in the thirty-eighth year of His late Majesty's Reign, entitled "An Act for the better division of this Province" and to make further provision for the DIVISION of the same into COUNTIES and DISTRICTS.

[Passed 14th April, 1821.]

WHEREAS it is expedient to provide by Law for the better division of the several Townships in this Province into Counties and Districts: Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the twenty third section of an Act of the Parliament of this Province, passed in the thirty-third year of His late Majesty's Reign, entitled "An Act for the better division of this Province," be and the same is hereby repealed.

Preamble.

23d sec. of 38th Geo 3. ch 5, repealed.

II. *And be it further enacted by the authority aforesaid*, That a tract of Land in the Eastern District adjoining to the Townships of Charlottenburgh and Kenyon, lately owned by the St. Regis Indians, shall be attached to the said Townships in the following manner, that is to say, so much of the said tract as adjoins the Township of Charlottenburgh shall constitute and form a part of the said Township; and that the remainder of the said tract shall constitute and form part of the Township of Kenyon.

A certain tract in the Eastern District attached to the Townships of Charlottenburgh and Kenyon.

III. *And be it further enacted by the authority aforesaid*, That the Townships of Gouldburn, Beckwith, Drummond, Bathurst, March, Huntly, Ramsay, Lanark, Dalhousie, and Sherbrooke North and South, together with such other Townships as may hereafter be surveyed by direction of the Governor, Lieutenant Governor or Person administering the Government of this Province, lying within the present limits of the County of Carlton, shall continue and remain the County of Carlton.

County of Carlton.

IV. *Provided always, and be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government, and he is hereby authorized to declare by Proclamation, as soon as he may think fit; the said County of Carlton to be a separate District, by such name as to the Governor, Lieutenant Governor or Person administering the Government of this Province may seem meet. *Provided also*, That nothing in this Act contained shall be construed to affect the jurisdiction of His Majesty's Court of King's Bench in this Province, or to make it necessary or lawful to issue any Commission of Oyer and Ter-

The Governor authorized as soon as he may think fit to declare by Proclm. the County of Carlton to be a separate District under certain restrictions and modifications.

miner and General Gaol Delivery, and Commission of Assize and Nisi Prius, for the said District, or to affect the jurisdiction of the Courts of General Quarter Sessions of the Peace or District Court within the present limits of the District of Johnstown, until provision be made by Law to that effect.

V. *And be it further enacted by the authority aforesaid,* That the following Townships in the Midland District shall be attached to and be incorporated with the Counties hereinafter mentioned in manner following, that is to say, the Townships of Oso, Olden and Kennebec to the County of Frontenac, the Township of Kaledar, to the Counties of Lennox and Addington, and the Townships of Elzever, Madoc and Marmora, to the County of Hastings.

Certain new Townships in the Midland District attached to the County of Frontenac to the County of Lennox & Addington to the Co. of Hastings

New Townships in the District of Newcastle to be attached to the Co. of Northumberland

to the Co. of Durham

New Townships in the Home District to be attached to

the East Riding of the County of York

to the West Riding. County of Simcoe, how constituted.

VI. *And be it further enacted by the authority aforesaid,* That the unattached Townships in the Newcastle District shall be incorporated in manner aforesaid, with the Counties in the said District as follows, that is to say, the Townships of Asphodel, Otanabee, Monaghan and Smith, to be attached to the County of Northumberland, and the Townships of Cavan, Manvers, Cartwright, Emily, Ops, and Mariposa, to the County of Durham.

VII. *And be it further enacted by the authority aforesaid,* That the unattached Townships in the Home District shall be incorporated in manner aforesaid with the Counties in the said Home District as follows, that is to say, the Townships of Reach, Brock, Scott, and Georgina shall be attached to the East Riding of the County of York, and that hereafter the following Townships to wit, Chinguacousy, Caledon, Albion, and the Gore of Toronto, be added to the West Riding of York, and that the following Townships shall constitute and form the County of Simcoe, namely, West Gwillimbury, Tecumseth, Adjala, Mono, Amaranth, Luther, Proton, Melancthon, Mulmar, Tosorontio, Essa, Innisfil, Oro, Vespra, Sunnidale, Flos, Medonta, Aurelia, Merlin, Osprey, Artemisia, Alba, Java, Tiny, Tay, Euphrasy, Zero, Matchedash, Thora, Mara, and Ramah.

VIII. *Provided,* That it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government and he is hereby authorized to declare by Proclamation the said County of Simcoe to be a separate District, by such name as to the Governor, Lieutenant Governor or Person administering the Government of this Province may seem meet, under the same provisions, limitations and restrictions, as are herein before provided for the County of Carlton.

County of Simcoe may be declared by the Governor to be a separate District under the same restrictions as the County of Carlton.

New Townships attached to the County of Halton.

Certain Gores of lands attached to the Townships of Beverly and Dumfries respectively.

The Gore attached to Burford to form a new Township called the Township of Oakland which with Nissouri and Zora shall be added to the County of Oxford.

IX. *And be it further enacted by the authority aforesaid,* That the following Townships, to wit, Esquesing, Erin, Nasagaweya, Eramosa, Garafraxa, and the Church Land, be annexed to the County of Halton.

X. *And be it further enacted by the authority aforesaid,* That the Gore of Land in the District of Gore, lying between the Townships of Beverly and Dumfries, be attached to the Township of Beverly, and the Gore lying between Dumfries and Dundas Street, be attached to Dumfries.

XI. *And be it further enacted by the authority aforesaid,* That the Gore of Land attached to the Township of Burford, be formed into a separate Township, by the name of the Township of Oakland, and that the said Township of Oakland and the Townships of Nissouri and Zora be added to the County of Oxford, and that hereafter the Townships of Moza, Ectrid, Carradoc, and Lobo, be added to the County of Middlesex, also that a Gore of Land

on the East side of the Township of Norwich, be attached to that Township, and a Gore of Land on the East of the Township of Dorchester be attached to the said Township.

XII. *And be it further enacted by the authority aforesaid,* That the following new Townships in the Western District be attached to the County of Kent, namely, the Townships of Zone, Dawn, Sombra, and Saint Clair.

New Townships attached to the County of Middlesex.

Certain Gores of land attached to the Townships of Norwich and Dorchester respectively.

Certain new Townships attached to the County of Kent:

C H A P. IV.

An Act to repeal an Act passed in the fifty-fifth year of His late Majesty's Reign, entitled "An Act to explain and amend an Act passed in the fifty-third year of His Majesty's Reign, entitled 'An Act to provide for the maintenance of persons disabled, and the widows and children of such persons as may be killed in his Majesty's Service,'" and also an Act passed in the fifty-sixth year of His late Majesty's Reign, entitled "An Act to repeal part of and to alter and amend the Laws now in force for granting Pensions to persons disabled in the Service, and the widows and children of persons who may have been killed in the Service, and to extend the provisions of the same" and an Act passed in the fifty-seventh year of His late Majesty's Reign, entitled "An Act to repeal part of and amend an Act passed in the fifty-sixth year of His Majesty's Reign, entitled 'An Act to repeal part of and to alter and amend the Laws now in force for granting Pensions to persons disabled in the Service, and the widows and children of persons who may have been killed in the Service, and to extend the provisions of the same' and to make provision for granting Pensions to persons disabled in the Service, and to the widows and children of persons who may have been killed in the Service, or who may have died while in captivity with the enemy, during the late War with the United States of America."

[Passed 14th April, 1821.]

WHEREAS by a certain Act of the Parliament of this Province, passed in the fifty-sixth year of His late Majesty's Reign, entitled "An Act to repeal part of, and to alter and amend the Laws now in force for granting pensions to persons disabled in the service, and the widows and children of persons who may have been killed in the service, and to extend the provision of the same" the classes of Militia Pensioners were greatly increased so that the Public Revenue has been found wholly unable to bear the charge thereby incurred: And whereas the said Act being limited in its duration is now about to expire, and it is become necessary to confine the Militia Pensions with the exceptions hereinafter mentioned to the objects provided for by the Laws of this Province passed during the late War, and to provide for such investigation of the claims of the different Pensioners, as may prevent further loss to the Revenue from any misrepresentation or deceit which may have been practised: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That the Act of the Parliament of this Province passed in the fifty-fifth year of the Reign of His late Majesty King George the Third, entitled "An Act

Preamble.
56th Geo 3 ch 17, re-
cited.

55th Geo 3 ch 6, 56th
Geo 3 ch 17, and 57th
Geo 3 ch 5, repealed.

to explain and amend an Act passed in the fifty-third year of His Majesty's Reign, entitled "An Act to provide for the maintenance of persons disabled and the widows and children of such persons as may be killed in his Majesty's service" and also the Act of the Parliament of this Province, passed in the fifty-sixth year of His said late Majesty's Reign, entitled "An Act to repeal part of, and to alter and amend the Laws now in force for granting Pensions to persons disabled in the service, and the widows and children of persons who may have been killed in the service and to extend the provision of the same" and also the Act of the Parliament of this Province passed in the fifty-seventh year of His said late Majesty's Reign, entitled "An Act to repeal part of, and amend an Act passed in the fifty-sixth year of His Majesty's Reign, entitled 'An Act to repeal part of, and to alter and amend the Laws now in force for granting Pensions to persons disabled in the service, and the widows and children of persons who may have been killed in the service, and to extend the provisions of the same'" shall be and the same are hereby repealed.

All Pensions to cease which are not authorized by 53d Geo 3 ch 4.

Exception of such pensions as are now paid to widows whose husbands died in captivity with the enemy.

All applications to be placed on the Pension List must be made within twelve months from the passing of this Act.

Inspectors of Militia Pensioners appointed, two of whom are to attend in each District for the purpose of examining all such as claim pensions on the ground of incapacity for hard labor.

Period of visitation. Places at which the Inspectors are to attend.

II. *And be it further enacted by the authority aforesaid,* That the Pensions of all and every person and persons, who have been placed on the Militia Pension List of this Province, under the provisions of any Act of the Parliament thereof, passed since the fifty-third year of the Reign of His said late Majesty, and who could not by a certain Act of the Parliament of this Province passed in the said fifty-third year of His said late Majesty's Reign, entitled "An Act to provide for the maintenance of persons disabled, and the widows and children of such persons as may be killed in His Majesty's service" have been entitled to be placed upon the Pension List of this Province, shall cease and be no further payable after the period of the payment of the same respectively, that shall arrive next after the passing of this Act. *Provided always nevertheless,* That the widows now on the Pension List, whose husbands died in captivity with the enemy during the late War, shall and may continue to receive their Pensions in the same manner as if their husbands had been killed in action with the enemy.

III. *And be it further enacted by the authority aforesaid,* That no person shall be placed upon the Militia Pension List of this Province by reason of any claim now existing, unless such person shall make his application within twelve months from the passing of this Act, and that the Pension of any person who may be placed upon the Pension List of this Province by reason of any such claim, shall be payable and take date only from the time of his application.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government of this Province, to appoint any two or more Members of the Medical Board of this Province for the time being to be Inspectors of Militia Pensioners now placed or hereafter to be placed on the Pension List of this Province on the ground of incapacity to earn their living by hard labor, in consequence of wounds or casual injuries received on service during the late War, and that two of the Inspectors so appointed shall between the first day of May and the first day of November next after the passing of this Act, attend on two successive days at Cornwall, Brockville, Kingston, Hamilton in the District of Newcastle, Hamilton in the District of Gore, Ni-

agora, Vittoria, and Sandwich, for the purpose of inspecting such of the said pensioners as shall present themselves for their inspection, and that notice of the time and place of the sitting of such Inspectors, at each of the said places respectively, shall be published at least two months before such sitting in the Upper Canada Gazette, and also put up at least four weeks before such sitting at the Door of the Court-house or place where the Quarter Sessions in each District are usually holden.

V. *And be it further enacted by the authority aforesaid,* That the said Inspectors shall examine all such Pensioners as shall present themselves at the times and places so to be appointed, of which Pensioners a nominal list shall be furnished to the said Inspectors by the Pension Agent of this Province, and that the said Inspectors or either of them may administer an oath to any such Pensioner as aforesaid, and take his affidavit in writing upon any matter relative to the wound or injury stated by him to have been received on actual service during the War, the circumstances under which it was received the duty he was upon and the nature and extent of the wound or injury; and if it shall appear to the said Inspectors, upon due examination and personal inspection, that such Pensioner is at the time of such examination so disabled from the wound or injury stated by him to have been received on actual service during the late War, as to be incapable of earning his livelihood, the said Inspectors shall give to such Pensioner a certificate under their hands to that effect. *Provided always,* That in case of any difference of opinion between the said Inspectors as to the propriety of granting such certificate in any particular case, the same shall and may be decided by the opinion on personal examination and inspection of any person duly authorised to practise Physic or Surgery within this Province who may be called in by the said Inspectors for that purpose.

VI. *And be it further enacted by the authority aforesaid,* That the said Inspectors shall keep a record in writing of all their proceedings, and shall deposit the same in the hands of the General Agent for Militia Pensions, and that all such Pensioners as shall be reported by the said Commissioners in manner aforesaid, not to be so incapacitated as to entitle them to a Pension according to Law, shall from the time of such report being received by the Pension Agent be struck off the Pension List of this Province and shall receive nothing more than the arrearages that may be due him on account of his Pension up to the time of his examination before such Inspectors.

VII. *Provided always, nevertheless,* That it shall be in the power of any person who may think himself aggrieved by the report of such Inspectors to present himself personally at any time within two years thereafter before the Medical Board at York, at any of their appointed sittings, and if it shall appear to such Board on revising the report and proceedings on the examination of such Pensioner by the Inspectors as aforesaid, and on personal examination, that he is entitled by reason of his disability to be placed upon the Pension List of this Province, it shall and may be lawful for the Secretary of the said Board under their direction to give such Pensioner a certificate to that effect, for which he shall be authorized to receive a fee of five shillings, and upon production of such certificate, to the Pension Agent of this Province, it shall and may be lawful for such Agent to replace the name

Notice of their sittings.

Nominal list of Pensioners to be furnished to the Inspectors by the Pension Agent.

Inspectors may examine each Pensioner on oath as to the circumstances of his wound, injury, &c.

If they deem him entitled to a pension they are to give him a certificate to that effect.

In case the two Inspectors disagree in opinion respecting any particular case, such case shall be decided by the opinion on personal examination of some person duly authorised to practise physic and surgery to be called in for that purpose.

Inspectors shall keep a record of their proceedings and deposit the same with the Pension Agent.

Persons reported by them not to be incapacitated shall receive only the arrearages due him and be struck off the list.

Persons may appeal from the decision of the Inspectors to the Medical Board at York.

Fee to Secretary of Medical Board.

of such Pensioner upon the List, and to pay him all arrearages of Pensions, as if he had never been struck off.

VIII. *And be it further enacted by the authority aforesaid,* That after the Report of the Inspectors so to be appointed shall have been received by the Pension Agent, such Agent shall pay no Pension to or on account of any person who by this Act ought to have presented himself to such Inspectors; unless he has so presented himself and been recommended by them to be continued on the List, but that all payment of such Pension shall be suspended until such Pensioner shall have appeared personally before the Medical Board at York, and obtained their certificate in the same manner and on payment of the same fee as is herein before provided in the case of appeal to the said Board, and if such Pension shall for default of such appearance and certificate remain suspended for two years, all arrears from the time of such suspension shall cease, and in case of the restitution of such Pensioner to the List, his Pension shall be payable only from the time of his restitution.

IX. *And be it further enacted by the authority aforesaid,* That the Inspectors appointed under this Act shall be entitled to receive the sum of two Guineas per day for every day they shall be necessarily employed in the execution of this Act, and one Guinea per day for their travelling expences, to be paid by Warrant of the Governor, Lieutenant Governor, or Person administering the Government of this Province.

X. *And be it further enacted by the authority aforesaid,* That if any person shall wilfully forswear himself in any oath taken by virtue of this Act, he shall be deemed guilty of wilful and corrupt perjury.

XI. And whereas it is necessary to continue the provisions for the more easy payment of the said Pensions, *Be it therefore further enacted by the authority aforesaid,* That the Agent now appointed for the payment of Militia Pensions shall and may during the pleasure of the Governor, Lieutenant Governor, or Person administering the Government of this Province continue in the discharge of his duty as such Agent, upon his entering into a Bond with sureties to His Majesty His Heirs and Successors, himself in one thousand pounds and two sureties in five hundred pounds each, for the due performance of the several duties imposed by this Act, and such Agent shall be entitled to receive the annual Salary of one hundred Pounds and the annual sum of fifty Pounds in lieu of all contingencies, and that upon any future vacancy of the said office the Governor, Lieutenant Governor, or Person administering the Government of this Province shall and may appoint a fit and proper person resident at the seat of Government to act as General Agent for the payment of all such Pensions as aforesaid, which Agent shall be required to give the like security and shall be entitled to receive the same Salary and allowances as before mentioned.

XII. *And be it further enacted by the authority aforesaid,* That the amount due upon all such Pensions as aforesaid shall be paid in advance every six months by the Receiver General to such Agent as aforesaid in discharge of any warrant or warrants which shall for that purpose be issued by the Governor, Lieutenant Governor, or Person administering the Government of this Province.

XIII. *And be it further enacted by the authority aforesaid,* That when and so often as such Agent shall have received the amount of such Pension or Pen-

After the Inspectors have made their report no pension shall be paid to any person who ought to have presented himself for examination unless he has done so, and been admitted by the Inspectors or until such Pensioner shall have obtained the certificate of the Medical Board by attending personally at their sitting.

If pension remains suspended for 2 years all arrears from time of suspension shall cease, and the Pensioner if restored shall be paid only from his restitution

Remuneration to Inspectors.

False oaths taken in cases where oaths are required by this Act made perjury.

Pension Agent to continue in office.

New security to be entered into.

Salary and allowances.

Future appointments in case of vacancy.

Pensions to be paid in advance every 6 months

Pension Agent to give

sions he shall insert a notice thereof in the York Gazette for three months immediately after such receipt, and that any person or persons not appearing personally or by Agent to claim the amount of Pension due him her or them within two years after such notice, shall receive no arrears unless he can prove himself to have been resident out of this Province during one half of the said period.

XIV. *And be it further enacted by the authority aforesaid,* That on the receipt of such Pension or Pensions as aforesaid by the said Agent, he shall, and he is hereby required so to do, pay the full amount of all such Pensions without any deductions to such person or persons as may be entitled to claim the same or to his, her or their Agent or Agents, Representative or Representatives, Guardian or Guardians, Executors or Administrators.

XV. *And be it further enacted by the authority aforesaid,* That each and every person or persons whose names may have already been or who may hereafter be inserted on the Pension List of this Province shall as soon after the first day of July and first day of January in each and every year as may be convenient, transmit to the said Agent an affidavit, as the case may require, in the following forms :

“I *A. B.* of in the District of late in the Regiment of
“Militia, do solemnly swear that I am the Person whose name has been
“heretofore inserted in the Pension List of this Province.”

“I *G. H.* of in the District do solemnly swear that I am the
“Widow of *A. B.* who died of wounds received in action with the enemy (or
“who was killed in action with the enemy.”)

“I *G. H.* do solemnly swear that I am the Widow of *A. B.* who was killed
“ed by casualty while on duty in actual service during the late war.”

“I *A. B.* (Guardian, Executor, or Administrator as the case may be) do
“solemnly swear that I verily believe, that *J. H.* is the youngest son (or
“daughter) of *G.* who was killed in action with the enemy (or who died
“from wounds received in action) (or who was killed by casualty on actual
“service during the late war,) and that the said *J. H.* is not sixteen years
“of age.”

“I *C. D.* Senior Officer of the Regiment of Militia (as the case
“may be) do hereby certify that *C. D.* the Widow of *A. B.* who was killed
“in action during the late War with the United States of America, or wound-
“ed and died in consequence, or was killed by casualty while performing
“duty on actual service (as the case may be) is still living and unmarried”
—Which affidavit and certificate with the receipt of such Pensioner or Pensioners, Guardian or Guardians, Agent or Agents, Executors or Administrators shall be taken and allowed to be a sufficient voucher for the payment of such Pension or Pensions as aforesaid.

XVI. *And be it further enacted by the authority aforesaid,* That any person claiming hereafter within the period prescribed by this Act to be placed upon the Pension List of this Province by reason of disability from wounds or other injuries received during the service, shall before his admission upon such List attend personally at York and present himself for examination to the Medical Board at York and obtain their Certificate in like manner and on payment of the like fees as in the case of persons appealing to the said Board under the Provisions of this Act.

notice of his readiness
to pay the pensions.

Persons not claiming
within two years to lose
arrears
Exception.

Pensions to be paid
without deductions.

Forms of affidavits &
certificates to be trans-
mitted by Pensioners.

Persons claiming here-
after to be placed on the
Pension List by reason
of wounds &c. must ap-
pear and be examined
by the Medical Board &
obtain their certificate.

Monies paid under this Act to be accounted for to His Majesty.

XVII. *And be it further enacted by the authority aforesaid,* That all monies paid under the authority of this Act shall be accounted for to his Majesty by the Receiver General of this Province through the Lords Commissioners of His Majesty's Treasury in such manner and form as His Majesty His Heirs and Successors shall be graciously pleased to direct.

Oaths to be taken under this Act by whom to be administered.

XVIII. *And be it further enacted by the authority aforesaid,* That the oaths directed to be taken by this Act except those herein before directed to be administered by the Members of the Medical Board, shall and may be administered by any Justice of the Peace in this Province.

Persons serving in Provincial Artillery Drivers, Colored Corps, employed with the Indians, or in the late Provincial Marine, to be deemed Militia Men.

XIX. *And be it further enacted by the authority aforesaid,* That every Officer, Non-commissioned Officer or Private Militia Man acting as Provincial Artillery Driver, or in the Colored Corps, or employed with the Indians, or serving in the late Provincial Marine Establishment, who now is placed on the Pension List of this Province or whose Widow or Children are now receiving a Pension on their account, shall be deemed and taken to have been a Militia Man.

Agent to render account

XX. *And be it further enacted by the authority aforesaid,* That the said Agent shall regularly on the thirty first day of December in each and every year transmit to the Governor, Lieutenant Governor or Person administering the Government of this Province a detailed abstract account, supported by the vouchers, of all Pensions paid by him under the authority of this or any former Act.

All pensions for disability by wounds, &c. to be £20 per annum.

XXI. *And be it further enacted by the authority aforesaid,* That notwithstanding the repeal of the above mentioned Act passed in the fifty-fifth year of His late Majesty's Reign, the Pension of all persons placed or to be placed on the List by reason of disability from wounds or injuries received on service, shall be the sum of twenty pounds per annum.

None to receive pensions under the Laws of this Province who receive pensions in any other of His Majesty's dominions for wounds or injuries received on service in this Province.

XXII. *Provided always, nevertheless,* That no person receiving a Pension in any of His Majesty's Dominions by reason of wounds or injuries received on Militia service in this Province, shall be entitled to receive any additional Pension by virtue of this Act, or of the above recited Act passed in the fifty-third year of His late Majesty's Reign.

Continuance of this Act.

XXIII. *And be it further enacted by the authority aforesaid,* That this Act shall continue and be in force for and during the term of four years and from thence until the end of the then next ensuing Session of Parliament and no longer.

C H A P. V.

An Act to authorise the Governor, Lieutenant Governor or Person administering the Government of this Province, to borrow a sum of money upon the securities therein mentioned, to be applied in discharging the arrearages due to Militia Pensioners.

[Passed 14th April. 1821.]

Preamble,

WHEREAS large arrearages are due to the persons placed on the Militia Pension List of this Province, which the Governor, Lieutenant Governor or Person administering the Government is not enabled to discharge, by reason of the proportion of duties payable to this Province upon articles imported into Lower Canada, since the first day of July, in the

year of our Lord one thousand eight hundred and nineteen, not having been received, which amount of duties is yet to be adjusted by Commissioners to be appointed on the part of the Provinces of Upper and Lower Canada: And whereas, it is expedient to make certain provision for the payment of the said Pensions within a limited time, Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That if on the first day of August next, more than one third of the sum which may then be due on account of Militia Pensions up to the thirtieth day of June now next ensuing, shall remain undischarged, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, so soon thereafter, as he may deem expedient, to authorize and direct His Majesty's Receiver General of this Province, to raise by loan, from any person or persons, bodies corporate or politic, who may be willing to advance the same upon the credit of the Government Bills or Debentures authorised to be issued under this Act, such sums of money, not exceeding twenty-five thousand pounds, as may be sufficient to discharge the whole amount which may be then due on account of the said Pensions, for arrearages up to the thirtieth day of June now next ensuing.

After 1st Aug. next if more than one third of the arrears due to Militia Pensioners shall remain undischarged the Governor may authorise the Receiver General to borrow such sum not exceeding £25,000 as may be required to pay such arrearages.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Receiver General now or for the time being, to cause or direct any number of Debentures, to be made out for any such sum or sums of money not exceeding in the whole the said sum of twenty-five thousand pounds, as any person or persons, body politic or corporate shall agree to advance on the credit of the said Debentures; which Debentures shall be prepared and made out in such method and form, as His Majesty's Receiver General shall think most safe and convenient, and that for each loan or advance, three several Debentures shall issue at the same time, bearing date on the day on which the same shall actually be issued, and being each for the payment of one third of the sum so advanced, at the expiration of one, two, and three years respectively, with interest at six per cent per annum from the date of each Debenture, until the same shall be discharged, *Provided always,* That every such Debenture shall and may be signed by the said Receiver General of this Province for the time being.

The Receiver General to make out Debentures for monies borrowed.

Form of Debentures and how issued and made payable.

III. *And be it further enacted by the authority aforesaid,* That all such Debentures with the interest thereon, and all charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the monies that shall come into the hands of the Receiver General of this Province, to and for the public uses of this Province, on account of the proportion payable to this Province, of duties which already have been or may hereafter be levied and received in the Province of Lower Canada, upon goods imported into the said Province.

Such Debentures and the interest accruing thereon to be charged on the proportion of Duties receivable by this Province on account of goods imported into Lower Canada.

IV. *And be it further enacted by the authority aforesaid,* That the Debentures which shall be lawfully issued by the authority of this Act, and shall from time to time remain undischarged and uncanceled, shall and may, after the period therein appointed for the payment thereof, be received and taken, and shall pass and be current to all and every the Receivers and Collectors in this Province of the Customs or of any Revenue or Tax whatsoever, granted due or payable, or which may hereafter be granted due or payable to His Majesty His Heirs and Successors, under or by virtue of any Act of the Parliament of Great Britain, or of the Provincial Parliament or otherwise, and also at the Office of the Receiver General of this Province from the said Collectors and Receivers, or from any person making any payment there to His Majesty, His Heirs or Successors, upon any account, or for any cause whatsoever, and that the same in the hands of such Collectors and Receivers, and in the hands of the Receiver General of this Province, shall be deemed and taken as cash, and as such shall be charged against, and credited to such Collectors and Receivers, and to such Receiver General aforesaid, respectively; in their accounts with each other, and with His Majesty, His Heirs and Successors.

Debentures to pass current with Public Receivers, Collectors, &c.

Interest to be paid on Debentures.

Interest shall cease while the Debentures remain in the hands of any Public Receiver.

Method of ascertaining for what period the interest on such Debentures shall be suspended

Capital Felony to forge any Debenture or indorsement thereon or utter any such forged Debenture knowingly & with intent to defraud.

V. *And be it further enacted by the authority aforesaid,* That the interest which shall from time to time be due upon any Debenture which may be so issued, shall be allowed to all persons, bodies politic and corporate, paying the same to any Receiver or Collector of any of His Majesty's Revenues in this Province, to the respective days whereupon such Debenture shall be so paid. *Provided always,* That no interest shall run or be paid upon or for any such Debenture during the time such Debenture so paid shall remain in the hands of any of the said Receivers or Collectors, but for such time the interest on every such Debenture shall cease.

VI. *And to the end that it may be known for what time such Debentures bearing interest shall from time to time remain in the hands of such Receivers or Collectors as aforesaid. Be it further enacted by the authority aforesaid,* That the Person or Persons who shall pay any such Debenture or Debentures so bearing interest to the Receivers or Collectors of any of His Majesty's revenues or taxes, shall, at the time of making such payment, put his or their name or names, and write thereupon in words at length, the day of the month and year in which he she or they so paid such Debenture bearing interest, all which the said Collectors and Receivers respectively shall take care to see done and performed accordingly; to which respective days, the said Receivers and Collectors shall be allowed again the interest which he or they shall have allowed or paid upon such respective Debenture, upon his or their paying the same into the hands of the Receiver General as aforesaid.

VII. *And be it further enacted by the authority aforesaid,* That if any Person or Persons shall forge or counterfeit any such Debenture as aforesaid, which shall be issued under the authority of this Act and uncanceled, or any stamp, indorsement or writing thereon or therein, or tender in payment any such forged or counterfeited Debenture, or any Debentures with such counterfeited indorsement or writing thereon, or shall demand to have such counterfeit Debenture, or any Debenture with such counterfeit indorsement or writing thereupon or therein exchanged for ready money, by any Person or Persons who shall be obliged or required to exchange the same, or by any

other Person or Persons whomsoever, knowing the Debenture so tendered in payment or demanded to be exchanged, or the indorsement or writing thereupon or therein to be forged or counterfeited, and with intent to defraud His Majesty, His Heirs and Successors, or the Persons appointed to pay off the same, or any of them; or any other Person or Persons, bodies politic or corporate, then every such Person or Persons so offending being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer as in cases of Felony without benefit of Clergy.

VIII. *And be it further enacted by the authority aforesaid,* That the Receiver General of this Province for the time being, shall before each Session of the Parliament of this Province, transmit to the Governor, Lieutenant Governor or Person administering the Government of this Province, a correct account of the numbers, amount and dates of the different Debentures which he may have issued under the authority of this Act, of the amount of the Debentures redeemed by him, and the interest paid thereon respectively, and also of the amount of the said Debentures outstanding and unredeemed at the periods aforesaid, and of the expences attending the issuing the same, and of carrying this Act into execution, to be laid before the Legislature of this Province.

IX. *And be it further enacted by the authority aforesaid,* That the interest growing due upon the said Debentures, shall and may be demandable in half yearly periods, computing from the date thereof, and shall and may be paid on demand by the Receiver General of this Province for the time being, who shall take care to have the same indorsed on each Debenture at the time of payment thereof, expressing the period up to which the said interest shall have been paid, and shall take receipts for the same from the parties respectively, and that the Governor, Lieutenant Governor or Person administering the Government of this Province, shall after the thirtieth day of June, and thirty-first day of December in each year, issue Warrants to the Receiver General for the payment of the amount of interest that shall have been advanced according to the receipts to be by him taken as aforesaid.

X. *And be it further enacted by the authority aforesaid,* That the Receiver General of this Province and the person or persons necessarily employed under him in the execution of this Act, shall severally have and receive such rewards and allowances as the Governor, Lieutenant Governor or Person administering the Government of this Province and the Executive Council thereof, shall adjudge to be reasonable, and shall direct to be allowed them for their respective services in the execution of this Act, and that the same shall be paid in discharge of such Warrant or Warrants as the Governor, Lieutenant Governor or Person administering the Government of this Province, shall from time to time issue for that purpose.

XI. *And be it further enacted by the authority aforesaid,* That a separate Warrant shall be made to the Receiver General by the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being for the payment of each Debenture as the same may become due and be presented in favor of the lawful holder thereof; and that such Debentures as shall from time to time be discharged and paid off shall be cancelled and made void by the said Receiver General.

XII. *And be it further enacted by the authority aforesaid,* That at any time

The Receiver General to transmit accounts to the Governor before each Session of Parliament of the Debentures issued, amount redeemed, outstanding, &c. to be laid before the Legislature.

Interest accruing upon Debentures shall be paid half yearly on demand by the Receiver General.

Warrants to be issued therefor.

Remuneration to the Receiver General and persons employed under him.

Debentures when due to be paid by warrant on the Receiver General and when paid to be cancelled.

After the Debentures become due the Governor may direct a notice to be published calling on the holders to present them for payment; and if not presented within six months from the date of the notice all interest after such six months shall cease.

Monies to be paid by warrant and accounted for to His Majesty.

after the said Debentures or any of them shall respectively become due according to the terms thereof it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government of this Province if he thinks proper so to do, to direct a notice to be inserted in the Upper Canada Gazette requiring all holders of the said Debentures to present the same for payment according to this Act; and if after insertion of the said notice for three months, any Debenture then payable shall remain out more than six months from the first publication of such notice, all interest on such Debentures, after the expiration of the said six months, shall cease, and be no further payable in respect of the time which may elapse between the expiration of the said six months and their presentment for payment.

XII. *And be it further enacted by the authority aforesaid,* That all monies required to be paid by the authority of this Act, shall be paid by the Receiver General in discharge of such Warrant or Warrants as shall, for that purpose be issued by the Governor, Lieutenant Governor or Person administering the Government of this Province, and shall be accounted for to His Majesty by the Receiver General of this Province through the Lords Commissioners of His Treasury for the time being in such manner and form as His Majesty His Heirs and Successors shall be graciously pleased to direct.

C H A P. VI.

An Act to amend an Act passed in the fifty-ninth year of His late Majesty's Reign, entitled "An Act for vesting in Commissioners the Estates of certain Traitors and also the Estates of Persons declared Aliens by an Act passed in the fifty-fourth year of His Majesty's Reign, entitled "An Act to declare certain persons therein described Aliens and to vest their Estates in His Majesty, and for applying the proceeds thereof towards compensating the Losses which His Majesty's Subjects have sustained in consequence of the late war, and for ascertaining and satisfying the lawful debts and claims thereupon."

[Passed 14th April, 1821.]

Preamble.

54:h Geo 3 ch 9, re-
cited.

WHEREAS by an Act of the Parliament of this Province, passed in the fifty-fourth year of His late Majesty's Reign, entitled "An Act to declare certain persons therein described Aliens and to vest their Estates in His Majesty" certain Estates in this Province have become vested in His Majesty, having been found by Inquisition to have been on the first day of July one thousand eight hundred and twelve, in the seizin of persons, declared Aliens by the Provisions of that Act, which Estates were after the said first day of July and before the departure of such Aliens from this Province conveyed to bona fide purchasers without any intention of fraud, or were seized and sold in execution upon judgments lawfully obtained before the departure of such Aliens from this Province as aforesaid: And whereas the Provisions of the said Act in that behalf were only intended to prevent fraudulent sales, made with intent to evade expected forfeitures, it is expedient that relief should be afforded to bona fide purchasers in the cases above mentioned, who in some instances have made large improvements upon lands acquired by them before the passing of said Act, and who would be wholly ruined unless provision is made for such relief. Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent

of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the Commissioners appointed under the Act passed in the fifty ninth year of His late Majesty's Reign, entitled "An Act for vesting in Commissioners the Estates of certain Traitors, and also the Estates of persons declared Aliens by an Act passed in the fifty fourth year of His Majesty's Reign, entitled 'An Act to declare certain persons therein described Aliens and to vest their Estates in His Majesty, and for applying the proceeds thereof towards compensating the losses which His Majesty's Subjects have sustained in consequence of the late War, and for ascertaining and satisfying the lawful debts and claims thereupon'" shall and may have power to revise all such claims as have been brought before them respecting lands of which no sale has already been made under the provision of the said recited Act, passed in the fifty-ninth year of His late Majesty's Reign, whether the same have or have not been decided on appeal, and if it shall appear to their satisfaction upon the proof brought before them in support of the same claim that the sale by the Alien, or under a judgment against him made or entered before the departure of such Alien from the Province, and before the passing of the said first mentioned Act, was bona fide and not for fraud or evasion, or with a knowledge of the purchaser of his intention to desert the Province; then the said Commissioners shall and may have power to decree such Estate to such claimant proving good title to the same, and that it shall and may be lawful for any person or persons having any claim under such bona fide sale as aforesaid to prefer the same to the said Commissioners within the period of six months from the passing of this Act, any thing in the above recited Act passed in the fifty-ninth year of His late Majesty's Reign to the contrary notwithstanding.

II. And whereas it appears upon the petition of Thomas Ridout, Esquire, and others, that in some cases, from a mistake in describing the Lot or other error in Inquisitions, certain estates have been erroneously returned as forfeited, and the persons owning the same not having observed the public notice thereof until after the expiration of the eight months limited for claiming before the said Commissioners, by reason whereof the same have been absolutely vested in the Commissioners above mentioned, who are compelled to proceed to sell the same notwithstanding such manifest error as aforesaid, *Be it therefore enacted by the authority aforesaid,* That it shall and may be lawful for the said Commissioners to inspect the respective Inquisitions together with the minutes of evidence thereon and compare the same with the returns furnished and published by them according to Law, and that on its appearing to the said Commissioners or a majority of them from such inspection, or otherwise that any Estate has been returned manifestly by error it shall and may be lawful for them at any time before the sale thereof to decree the same to such person as shall prove title thereto; or in default of any

The Comms. appointed under 59th Geo 3 ch 12, may revise all claims brought before them respecting lands not yet sold under that Act, and in cases where there have been bona fide sales by the Alien or under a judgment against him before his departure from the Province and before the passing of 54 Geo 3 ch 9, may decree the lands to the persons claiming under such sale.

Claim may be within 6 months.

Commissioners empowered to decree to their right owners estates which appear by the Inquisition evidence and return to have been returned forfeited by manifest error provided such estate has not been sold by the Commissioners.

claim therefore, to forbear proceeding to sell the same.

The provisions of this Act extended to cases of persons who may be hereafter found Aliens by Inquisition.

III. *And be it further enacted by the authority aforesaid,* That when any bona fide sale of any Lands or Tenements shall have been made by any person or persons who may hereafter be found by Inquisition to be an Alien or Aliens under the said Act passed in the fifty-fourth year of His Majesty's Reign, when such sale shall have been made previous to desertion of such Alien, it shall and may be lawful for the Commissioners aforesaid, upon satisfactory proof of such bona fide sale, to decree such lands and tenements to the purchaser or purchasers thereof or the person entitled to claim the same.

Where estates of Aliens have been sold in satisfaction of executions against them the surplus above the execution to be paid over by the Sheriff to the Commissioners of Forfeited Estates.

IV. *And be it further enacted by the authority aforesaid,* That in all cases where the Real Estate of any person declared an Alien under the provisions of the said Act passed in the fifty-fourth year of His late Majesty's Reign, shall have been sold in execution upon any Judgment obtained against him, before such Real Estate became vested in His Majesty by Inquisition found, the surplus monies arising from such sale, after the satisfaction of the execution and the legal charges thereupon, shall belong to His Majesty, and shall be forthwith paid over by the Sheriff or other Officer holding the same, to the Commissioners of Forfeited Estates, appointed in and by the said Act of the Parliament of this Province, passed in the fifty-ninth year of His late Majesty's Reign, who shall pay the same to the Special Receiver appointed under the provisions of the said last mentioned Act, to be by him held subject to the same orders and appropriations, as if such monies had arisen from the sale of Real Estate by the Commissioners of Forfeited Estates.

Deeds of Bargain and Sale by Comms. shall be valid if signed by a majority of the Comms. for the time being.

V. *And be it further enacted by the authority aforesaid,* That in all cases of sales of lands which have been or may hereafter be made by the Commissioners of Forfeited Estates, according to the authority vested in them for that purpose, Deeds of Bargain and Sale which have been, or which hereafter shall be made and executed by the majority of such Commissioners for the time being, shall be as valid and effectual in Law to all intents and purposes as if the same were signed by all the said Commissioners, any Law to the contrary notwithstanding.

Days of meeting of the Commissioners after the first day of August next

VI. *And be it further enacted by the authority aforesaid,* That from and after the first day of August next, the said Commissioners shall meet on the first Tuesday in the months of January, April, July, and November, and at no other time, unless for the purpose of determining some matter specially referred to them, or of receiving the evidence or hearing the claim of some claimant or claimants, agent or agents actually attending for that purpose.

C H A P. VII.

An Act relative to the SERVICE of PROCESS issuing out of His Majesty's Court of King's Bench and the several District Courts in this Province.

[Passed 14th April, 1821.]

Preamble.

WHEREAS by the Laws now in force in this Province, relative to the service of Process issuing out of His Majesty's Court of King's Bench, or out of the several District Courts in this Province, it is optional with the Plaintiff, his Attorney or Agent, to cause such Process to be served

ed by some literate person, or to compel the Sheriff to serve the same, when it may be inconvenient or difficult for such Plaintiff his Attorney or Agent to do so: And whereas it is expedient to grant relief to the several Sheriffs in this Province in respect of such service, and to make provision relative to the service of such Process in future: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That from and after the passing of this Act, no person other than Sheriffs and persons employed under them shall be entitled to receive mileage or other compensation on the service of any Process required by Law to be directed to the Sheriff of any District.

No persons but Sheriffs and persons employed by them shall be entitled to compensation for serving any process directed to the Sheriff of any District.

C H A P. VIII.

An Act to explain doubts which have arisen respecting the right of persons holding a Licence to keep a House of Public Entertainment to Retail Spirituous Liquors to be consumed out of their houses without any additional Licence.

[Passed 14th April, 1821.]

WHEREAS doubts have arisen whether by the Laws now in force any person having a Licence to keep a House of Public Entertainment may by virtue of such Licence sell Spirituous Liquors by retail to be consumed out of his house, for removing such doubts, Be it hereby enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That it shall and may be lawful for any person in this Province duly Licensed to keep a House of Public Entertainment for the retailing of Spirituous Liquors, to sell Wine, Brandy or other Spirituous Liquors by retail to be consumed out of his house in the same quantities as he may retail it within his house without any additional Licence for that purpose.

Preamble:

Persons licensed to keep a house of public entertainment for retailing spirituous liquors may sell liquors by retail to be consumed out of his house by the same quantities as within, without any additional licence

C H A P. IX.

An Act to continue an Act passed in the fifty-fifth year of His late Majesty's Reign, entitled "An Act to repeal an Act passed in the fifty-fourth year of His Majesty's Reign, entitled 'An Act

to supply in certain cases the want of County Courts in this Province” and to make further provision for proceeding to Outlawry in certain cases therein mentioned.

[Passed 14th April, 1821.]

Preamble.

WHEREAS it is expedient to continue an Act passed in the fifty fifth year of His late Majesty's Reign, entitled “An Act to repeal an Act passed in the fifty fourth year of His Majesty's Reign, entitled ‘An Act to supply in certain cases the want of County Courts in this Province and to make further provision for proceeding to Outlawry in certain cases therein mentioned.’” Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled ‘An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province” and by the authority of the same, That the said Act, and every clause matter and thing therein contained, shall continue and be in force for eight years and from thence to the end of the then next ensuing Session of Parliament.

55th Geo 3 ch 2, continued for 8 years.

C H A P. X.

An Act to repeal the Laws now in force relative to the preservation of Salmon, and to make further provisions respecting the Fisheries in certain parts of this Province, and also to prevent accidents by fire from persons fishing by torch or fire light.

[Passed 14th April, 1821.]

Preamble.

WHEREAS it is expedient more effectually to provide for the preservation of Salmon within this Province, and to make further regulations for fishing in the Rivers and Creeks thereof: And whereas the provisions of an Act passed in the forty seventh year of His late Majesty's Reign, entitled “An Act for the preservation of Salmon” and also the provisions of another Act passed in the fiftieth year of His late Majesty's Reign, entitled “An Act to extend the provisions of an Act passed in the forty seventh year of His Majesty's Reign, entitled ‘An Act for the preservation of Salmon’” are found inadequate: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled ‘An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province” and by the authority of the same, That the aforesaid Acts, and every matter and thing in the said Acts contained, shall be and the same are hereby repealed.

47th Geo 3 ch 12, and 50th Geo 3 ch 3, repealed.

II. *And be it further enacted by the authority aforesaid, That from and*

after the passing of this Act, it shall not be lawful for any person or persons at any time from the twenty fifth day of October till the first day of January in each and every succeeding year, to take catch or kill any Salmon or Salmon Fry in any manner whatsoever.

Salmon not to be killed or taken between 25 Oct. and 1st of January in any year.

III *And be it further enacted by the authority aforesaid,* That it shall not be lawful for any person or persons to take catch or kill or to attempt to take catch or kill any fish in any River or Creek within this Province by torch or fire light, within one hundred yards of any Mill or Mill-dam which may now or hereafter be erected on any such Rivers or Creeks as aforesaid.

No person to fish by torch or fire light in any creek within 100 yards of any mill or mill dam.

IV. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for any person or persons at any time to take catch or kill in any manner in the Home District. District of Newcastle and District of Gore of this Province, any Salmon or Salmon Fry, nearer the mouth of any of the Rivers or Creeks along the shore of Lake Ontario, than two hundred yards or within fifty yards up the mouth of any such Rivers or Creeks as aforesaid, except the River Credit in the Home District where it shall not be lawful to take any Salmon by Spear or otherwise less than two hundred yards up the mouth of the said River.

No Salmon or Salmon fry to be taken in the Home, Newcastle or Gore District within a certain distance from the mouth of any creek

exception as to the river Credit.

V. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for any person or persons in either of the Districts aforesaid to take catch or attempt to take or catch, or attempt to take and catch by setting any net or nets, wear or wears, any Salmon or Salmon Fry in any of the Creeks or Rivers in the aforesaid Districts.

No Salmon in those Districts to be taken by setting any net or wear

VI. *And be it further enacted by the authority aforesaid,* That if any person or persons shall be convicted, before any two or more of His Majesty's Justices of the Peace within the District in which such offence or offences shall have been committed, by the oath of one or more credible witness or witnesses other than the informer, of infringing any of the provisions of this Act, such person or persons respectively upon conviction as aforesaid shall forfeit and pay a sum not exceeding five pounds nor less than five shillings for every offence so committed with all reasonable costs both before and after conviction, or in default of payment to be committed to the Common Gaol of such District as aforesaid for a term not more than thirty days nor less than two days, unless the fine and costs are sooner paid.

Penalties for breach of this Act.

VII. *And be it further enacted by the authority aforesaid,* That one half of any such fine as aforesaid, levied or collected, or to be levied or collected by virtue of this Act, shall be given to the informer and the other half shall be paid into the hands of His Majesty's Receiver General to and for the public uses of this Province to be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury for the time being in such manner and form as His Majesty shall direct.

Distribution of fines.

VIII. *Provided always nevertheless, and be it further enacted by the authority aforesaid,* That nothing in this Act contained, shall extend or be construed to extend to any other part of the District of Gore aforesaid, than so much of said District as is comprised within the Township of Trafalgar and that part of the Township of Nelson which lies north of the Beach between Burlington Bay and Lake Ontario: provided that nothing in this Act contained shall extend or be construed to extend to prevent the Indians fishing as

Exception as to part of the District of Gore.

Indians not restrained

by this Act except as to
fishing by torch light
near mills, &c.

heretofore when and where they please except within one hundred yards of a Mill or Mill-dam by fire or torch light.

C H A P. XI.

An Act for the more certain punishment of persons illegally solemnizing Marriage within this Province.

[Passed 14th April, 1821.]

Preamble.

FOR the more certain punishment of persons illegally solemnizing Marriage within this Province, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That if any Parson, Minister or Clergyman legally authorized to solemnize Marriage within this Province, shall, after the passing of this Act, knowingly or wilfully solemnize Marriage without publication of banns, unless license of Marriage be first had and obtained from some person having authority to grant the same, or if any Justice of the Peace in this Province, shall after the passing of this Act knowingly solemnize Marriage contrary to Law, or if any person not having authority by Law to solemnize Marriage within this Province, shall, after the passing of this Act, marry any persons within the same, such Parson, Minister, Clergyman, Justice of the Peace, or person respectively so offending shall be guilty of a misdemeanor, any thing in a certain Act of the Parliament of Great Britain passed in the twenty-sixth year of the Reign of King George the Second, entitled "An Act for the better preventing of clandestine Marriages" to the contrary thereof in any wise notwithstanding. *Provided always nevertheless*, that such offence shall not be cognizable at any Court of Quarter Sessions in this Province; and *Provided also*, that no prosecution shall be commenced after two years from the offence committed.

Persons solemnizing marriage illegally to be deemed guilty of a misdemeanor.

Quarter Sessions not to have jurisdiction over such offence.
Prosecution must be within two years.

Proof of legal authority to solemnize marriage shall be on def.

II. *And be it further enacted by the authority aforesaid*, That in all cases of prosecution under this Act wherein the legal authority of any person to solemnize Marriage within this Province, shall come in question, the proof of such authority shall lie upon the Defendant.

C H A P. XII.

An Act to render legal certain Small Notes and Inland Bills of Exchange within this Province.

[Passed 14th April, 1821.]

Preamble.
British Statutes 15 &
17 Geo 3. respecting mar-
riage shall be on def.
small notes and bills of

WHEREAS the provisions of a certain Act of the Parliament of Great Britain passed in the fifteenth year of His late Majesty's Reign, entitled "An Act to restrain the negotiation of Promissory Notes and Inland Bills of Exchange under a limited sum within that part of Great Britain call-

ed England" and of a certain other Act of the Parliament of Great Britain passed in the seventeenth year of His late Majesty's Reign, entitled "An Act for further restraining the negotiation of Promissory Notes and Inland Bills of Exchange under a limited sum within that part of Great Britain called England" are inapplicable to this Province: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That no clause matter or thing in the said Acts or either of them contained shall extend to or be in force in this Province or shall make void any Bills, Notes, Drafts or Orders which have been or may hereafter be made or uttered in this Province, any thing in a certain Act of the Parliament of this Province passed in the thirty-second year of His late Majesty's Reign, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in America and to introduce the English Law as the rule of decision in all matters of controversy relating to property and civil rights" or in a certain other Act of the Parliament of this Province passed in the fortieth year of His late Majesty's Reign, entitled "An Act for the further introduction of the Criminal Law of England in this Province, and for the more certain punishment of certain offenders" to the contrary thereof in anywise notwithstanding.

Provided always, That nothing in this Act contained shall be construed to render any person liable to any punishment for any Forgery, Larceny or other crime committed before the passing of this Act respecting any Notes, Bills, Drafts or undertakings made and uttered before the passing of this Act other than such person would have been liable to, had this Act never been passed.

exchange, recited.

Those Statutes not to be in force in this Province.

This Act to have no retrospective operation as respects any forgery or other crime committed in respect of such notes or bills made and uttered before this Act.

C H A P. XIII.

An Act to establish an Uniform Currency throughout this Province.

[Passed 14th April, 1821.]

WHEREAS it would tend much to the public convenience if an Uniform Currency prevailed throughout this Province: And whereas the several gold and silver coins current in this Province, have respectively a nominal legal value in Pounds, Shillings and Pence, bearing the relative proportion of ten to nine, to the Sterling Money of account in the United Kingdom of Great Britain and Ireland, nevertheless in some parts of this Province, accounts continue to be kept and contracts to be made in New-York-Currency, estimating the Spanish Milled Dollar at eight Shillings, bearing to Sterling Money of account the proportion of sixteen to nine, which diversity must necessarily occasion great and manifest confusion, Be it enacted by

Preamble.

the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That from and after the first day of July, which will be in the year of our Lord one thousand eight hundred and twenty-two, no interest shall be demandable or shall be recovered in any action upon any Bond, Bill, Note or other instrument, agreement or paper writing, made or dated within this Province after the said first day of July, in which the penalty or the sum payable or secured in or by such Bond, Bill, Note or other instrument, agreement or paper writing, shall be expressed in New-York Currency, or in words or letters importing New-York Currency, whether interest be or be not payable according to the terms thereof, nor shall any costs be taxed or allowed against the defendant in any action which may be brought in any Court in this Province for the recovery of the debt, damages or sum made payable or secured by any such Bond, Bill, Note or other instrument, agreement or paper writing.

After 1st of July 1822 no interest shall be demandable on any bond, note or other instrument made after that date in this Province in which the penalty or sum payable shall be expressed in New York Currency.

Nor any costs allowed in actions brought thereon.

After 1 July 1822 no rendering of account shall be deemed a demand or acknowledgment thereof given in evidence unless it shall have been rendered in Provincial Currency.

After 1 July 1822 no shop books shall be received in evidence as to any entries after that date unless they are made out in Prov. Curr.

This Act to be read in Court on the first day of the four next Courts of General Quarter Sess.

II. *And be it further enacted by the authority aforesaid,* That from and after the said first day of July in the year of our Lord one thousand eight hundred and twenty-two, no rendering of any Merchant's, or other account, entered and made out after that date within this Province, shall be considered a demand, nor shall any admission of such account be given in evidence as an acknowledgment of a debt, unless such account shall have been entered, made and rendered in Provincial Currency at Five Shillings to a Dollar.

III. *And be it further enacted by the authority aforesaid,* That no Shop Book of any Merchant or Tradesman made up and kept within this Province, shall be received in any Court of Law as evidence for such Merchant or Tradesman as far as respects any entries made therein after the said first day of July, which will be in the year of our Lord one thousand eight hundred and twenty-two, unless such entries shall be made therein in Provincial Currency as aforesaid.

IV. *And be it further enacted by the authority aforesaid,* That this Act shall be read by the Clerks of the Peace of the several Districts of this Province in open Court, on the first day of the General Quarter Sessions of the Peace, for four successive Courts of General Quarter Sessions next after the passing thereof.

C H A P. XIV.

An Act to enable Married Women more conveniently to convey their Real Estate.

[Passed 14th April, 1821.]

Preamble.

WHEREAS by an Act passed in the forty-third year of His late Majesty's Reign, entitled "An Act to enable Married Women having Real Estate, more conveniently to alien and convey the same," it is enacted, that no Deed shall have any force or effect to bar such Married Woman or her

said husband or her heirs during the continuance of the coverture, or after the dissolution thereof, or shall have any force or effect whatsoever, unless such Married Woman shall appear in open Court, in the Court of King's Bench, or before any Judge thereof at his chambers, or before a Judge of Assize at the Sittings of the Home District or on his circuit, and shall be examined by the said Judge, touching her consent to alien and depart with such Estate, and whereas much inconvenience has arisen from such provision, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act it shall be lawful for any Married Woman having Real Estate in this Province, to appear before the Quarter Sessions of the Peace in the District in which she may at the time be resident, or before the General Quarter Sessions of the Peace in any District in this Province, in cases in which the party resides out of this Province, at any time within twelve months after her execution of the Deed conveying away her Real Estate, and being examined by the Chairman of the Quarter Sessions in open Court, touching her consent to alien and depart with her Real Estate, as in such Deed may be mentioned, it shall and may be lawful for the said Chairman to certify the same, in like manner as the same may at present be certified by the Court of King's Bench, or any Judge thereof, and the said certificate shall have the same force and effect, and be as valid in Law as any certificate given under and by virtue of the above recited Act, any Law or usage to the contrary in anywise notwithstanding.

II. *And be it further enacted by the authority aforesaid,* That the Clerk of the Peace shall be entitled to receive the sum of five shillings for drawing every such certificate and no more.

Married women having real estate and desirous of conveying the same may appear before the Quarter Sessions of the District in which they reside and be examined as to their consent.

Women residing abroad may appear before the Sessions in any District of the Province.

Certificate to be given by the Chairman.

Fee to the Clerk of the Peace.

C H A P. XV.

An Act further to relieve Vessels and small Craft from the payment of Light House Tonnage Duty.

[Passed 14th April, 1821.]

WHEREAS it is found expedient further to relieve the Masters and Owners of Vessels, Boats, Rafts and other Craft belonging to and navigated by His Majesty's Subjects within this Province, from the payment of Light House Tonnage Duty, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in

Preamble.

Light house tonnage duty on vessels owned and navigated by his Majesty's subjects in this Province to be demanded here forward only on the tonnage of cargo actually discharged at any port where such duty is to be paid.

Master to state in his report the number of tons of the same on oath.

False oath therein to be perjury.

North America, and to make further provision for the Government of the said Province" and by the authority of the same, That from and after the passing of this Act, no Collector or Deputy Collector at any of His Majesty's Ports of Entry where Light House Tonnage Duty now is or hereafter may become due and payable, shall demand such Duty on Vessels, Boats, Rafts or other Craft belonging to and navigated by His Majesty's Subjects as aforesaid, except on the number of tons, weight or measurement of Cargo, other than the personal baggage of passengers, which such Vessel, Boat, Raft or other Craft shall actually discharge at such Port or Place of Entry.

II. *And be it further enacted by the authority aforesaid,* That in the report which the Master, Owner or other person shall make of the arrival of such Vessel, Boat, Raft or other Craft, to the Collector or Deputy Collector at the Port or Place of Entry where such Cargo shall be discharged, shall be specified the number of tons, weight or measurement of the same, which report shall be verified by the oath of the person making the same, to be administered by the Collector or Deputy Collector.

III. *And be it further enacted by the authority aforesaid,* That if any person making such report under oath administered as aforesaid, shall therein wilfully mis-state the number of tons, weight or measurement of such Cargo, he shall be deemed guilty of wilful and corrupt perjury.

C H A P. XVI.

An Act for altering the time of holding the General Quarter Sessions of the Peace in the Home District.

[Passed 14th April, 1821.]

Preamble.

WHEREAS great inconvenience is found to arise from the sitting of the Court of Quarter Sessions in the Home District on the days now established by Law, as falling within the Terms of the superior Court of King's Bench: Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That so much of the second clause of an Act passed in the forty-first year of the Reign of His late Majesty, entitled, "An Act to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected and holden, and other matters relating to the administration of Justice done in the several Districts of this Province, and also to fix the times of holding the Courts of General Quarter Sessions of the Peace, in and for the same," as relates to the holding the Quarter Sessions in and for the Home District, be and the same is hereby repealed; and that from and after the passing of this Act, the Court of General Quarter Sessions

Part of the 2d clause of 41st Geo 3 & 6 repealed.

of the Peace in and for the Home District, shall assemble and sit at the place now fixed by Law for holding the same, on the third Tuesdays in January, April, and July, and on the second Tuesday in October.

General Quarter Sessions in the Home District to be hereafter holden on the third Tuesday in January April & July and on the second Tuesday in October.

C H A P. XVII.

An Act for the Preservation of Deer within this Province.

[Passed 14th April, 1821.]

WHEREAS it is expedient to prohibit the killing of Deer within this Province, at improper seasons of the year, Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That no person or persons shall within this Province, after the tenth day of January in every year hereafter, kill in any manner whatever any Deer, *feræ naturæ*, until the first day of July.

Preamble:

No person to kill any deer *feræ naturæ* between the 10th day of January and 1 of July in any year.

II. *And be it further enacted by the authority aforesaid,* That if any person or persons shall kill or cause to be killed Deer, *feræ naturæ*, between the tenth of January and the first day of July as aforesaid, such person or persons shall forfeit and pay the sum of Forty Shillings for the first offence, and double that sum for every subsequent offence, to be recovered in a summary manner before any two or more of His Majesty's Justices of the Peace for the District in which the offence shall have been committed, one moiety thereof shall be forfeited to His Majesty, and be paid into the hands of the Receiver General of this Province, to and for the public uses of the same, and shall be accounted for through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty shall be pleased to direct, and the other moiety thereof shall be paid to the informer or whoever shall sue for the same. *Provided always, and be it further enacted by the authority aforesaid,* That nothing in this Act contained shall extend or be construed to extend to any individual or individuals of the nations of Indians now or hereafter to be resident within the limits of this Province.

Penalty:

Application of fines:

In fines exempt from this Act.

C H A P. XVIII.

An Act to continue for a limited time a certain Act of the Parliament of this Province passed in the fifty-ninth year of His late Majesty's Reign: entitled "An Act to alter the Laws now in force for granting Licences to Inn-keepers and to give to the Justices of the Peace in General Quarter Sessions assembled for their respective Districts, authority to regulate the Duties hereafter to be paid on such Licences.

[Passed 14th April, 1821.]

WHEREAS it is expedient to continue for a limited time the provisions of a certain Act of the Parliament of this Province, passed

Preamble:

59th Geo 3 ch 2, Sess
1, recited.

in the fifty ninth year of His late Majesty's Reign, entitled "An Act to alter the Laws now in force for granting Licences to Inn-keepers, and to give to the Justices of the Peace in General Quarter Sessions assembled for their respective Districts authority to regulate the Duties hereafter to be paid on such Licences" Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That the said Act, and every clause matter and thing therein contained, shall be continued and remain in force for two years, and from thence to the end of the then next ensuing Session of Parliament.

Continued for 2 years

C H A P. XIX.

An Act to provide for the Remuneration and Reimbursement of certain Persons therein mentioned.

[Passed 14th April, 1821.]

MOST GRACIOUS SOVEREIGN.

Preamble.

WHEREAS the Honorable Thomas Clark and James Crooks, Esquire, were duly nominated and appointed Commissioners to confer on behalf of this Province, with Commissioners on the part of Lower Canada, on the subject of improving the Inland Navigation of this Province, and it is expedient to remunerate the said Commissioners for the services performed by them in that capacity, and whereas it is expedient to grant a sum of money to enable certain Commissioners hereinafter mentioned to discharge a balance due for completing the Public Buildings for the accommodation of the Legislature, and also to remunerate Grant Powell, Esquire, for his services in superintending the same, May it please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That out of the fund or funds subject to the disposition of the Parliament of this Province, there shall be issued and applied the sum of two hundred Pounds, which sum of two hundred Pounds shall be paid to the Honorable Thomas Clark and to James Crooks, Esquire, to each one hundred Pounds, for their services as Commissioners for conferring with the Commissioners on the part of Lower Canada respecting the improvement of the Inland Navigation.

£200 granted to remunerate the Hon. Tho. Clark & J. Crooks, Esq. for certain services.

ii. *And be it further enacted by the authority aforesaid,* That the sum of three hundred and thirty-three pounds thirteen shillings and seven pence be appropriated and applied to pay to Peter Robinson and Grant Powell, Esquires, Commissioners for superintending the erection of the Parliament House, the like sum expended by them in erecting and finishing the Public Buildings for the accommodation of the Legislative Council and House of Assembly.

£333 13 7 granted to pay the same sum expended by the Comms. for superintending the erection of the Parliament House.

iii. *And be it further enacted by the authority aforesaid,* That the sum of one hundred Pounds be granted to Grant Powell, Esquire, one of the Commissioners appointed to superintend the erection of the Public Buildings for the accommodation of the Legislature, for his services in the discharge of that duty, which said several sums shall be paid by His Majesty's Receiver General of this Province in discharge of such Warrant or Warrants as shall be issued for that purpose by the Governor, Lieutenant Governor or Person administering the Government of this Province and shall be accounted for to His Majesty, His Heirs and Successors through the Lords Commissioners of His Treasury in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

£100 granted to Grant Powell Esq. one of the said Comms. to remunerate him for his services in that capacity.

C H A P. XX.

An Act granting a Pension to Elizabeth Lawe.

[Passed 14th April, 1821.]

MOST GRACIOUS SOVEREIGN.

WHEREAS it appears by the petition of Elizabeth Lawe, Widow of George Lawe, Esquire, deceased, late Gentleman Usher of the Black Rod attendant upon the Honorable the Legislative Council of Upper Canada, that by the death of the said George Lawe accelerated by severewounds received in the discharge of his duty as Captain of the first Regiment of Lincoln Militia during the late War with the United States of America, and also by the death of her son killed in action in defence of the Province during the said War, she is left destitute and unprovided with the common necessaries of life, and whereas it is desirable and proper under such peculiar circumstances to make provision for the Widow of an old and faithful servant of this Province, May it therefore please Your Majesty that it maybe enacted, and be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That from and after the passing of this Act there be granted to the said Elizabeth Lawe for and during her natural life the sum of twenty pounds annually, which said sum of twenty pounds shall commence and become payable from and after the passing of this Act.

Preamble.

A pension of £20 per annum granted to Mrs. E. Lawe, widow of the late George Lawe, Esq. for life.

ii. *And be it further enacted by the authority aforesaid,* That the sum herein

vince out of the monies that now are, or which may hereafter come into his hands subject to the disposition of the Parliament of this Province in discharge of such Warrant or Warrants as may therefore from time to time be issued by the Governor, Lieutenant Governor or Person administering the Government and be accounted for to his Majesty through the Lords Commissioners of His Treasury for the time being in such manner and form as His Majesty, His Heirs and Successors may please to direct.

How to be paid and accounted for.

C H A P. XXI.

An Act to remunerate the Surveyor General for certain services.

[Passed 14th April, 1821.]

MOST GRACIOUS SOVEREIGN,

WHEREAS, it is expedient to remunerate the Surveyor General of this Province, for services rendered and disbursements made by him in carrying into effect the provisions of a certain Act of this Province, entitled, "An Act to repeal the several Laws now in force, relative to levying and collecting Rates and Assessments in this Province, and further to provide for the more equal and general Assessment of Lands, and other ratable property throughout this Province," Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make farther provision for the Government of the said Province" and by the authority of the same, That from and out of the rates and duties raised, levied and collected or hereafter to be raised levied and collected to and for the uses of this Province, and in the hands of the Receiver General unappropriated, there be granted to His Majesty, His Heirs and Successors, the sum of one hundred and fifty-four pounds four shillings and two pence currency, which sum of one hundred and fifty-four pounds four shillings and two pence shall be paid by the Receiver General of this Province in discharge of such Warrant or Warrants as shall for that purpose be issued by the Governor, Lieutenant Governor or Person administering the Government of this Province, and shall be applied to remunerate the Surveyor General of this Province for duties performed by him under the said recited Act of the Parliament of this Province.

Preamble.

£154 4 2 granted to remunerate the Surveyor General of this Province for certain services imposed on him by an Act of the Legislature.

II. *And be it further enacted by the authority aforesaid,* That the said sum of one hundred and fifty-four pounds four shillings and two pence shall be accounted for to His Majesty by His Majesty's Receiver General of this Province, through the Lords Commissioners of His Treasury for the time being, in such a manner and form as His Majesty His Heirs and Successors shall be graciously pleased to direct.

How to be paid and accounted for.

C H A P. XXII.

An Act to make good certain monies issued and advanced by His Excellency the Lieutenant Governor in pursuance of several Addresses of the House of Assembly.

[Passed 14th April, 1821.]

MOST GRACIOUS SOVEREIGN,

WHEREAS in pursuance of an Address of Your Commons House of Assembly during its last Session to His Excellency Sir Peregrine Maitland, Lieutenant Governor of Your Province of Upper Canada, the sum of six hundred and seventy six pounds sixteen shillings and nine pence half-penny has been issued and advanced by Your Majesty through Your Lieutenant Governor to the Clerks and other Officers of the two Houses of Parliament to enable them to pay the Contingent Expences of the last Session of the Provincial Legislature, May it therefore please Your Majesty that it may be enacted, and Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That out of the fund or funds subject to the disposition of the Parliament of this Province now remaining in the hands of the Receiver General unappropriated, there shall be issued and applied the sum of six hundred and seventy six pounds sixteen shillings and nine pence half-penny, to make good the said sum which has been issued and advanced in pursuance of the aforesaid Address.

Preamble.

£676 16 9 1-2 granted to make good that sum advanced by His Majesty to pay the contingent expences of the last Session.

II. And whereas in pursuance of an Address of Your Commons House of Assembly during the present Session to His Excellency Sir Peregrine Maitland Lieutenant Governor of Your Province of Upper Canada the sum of sixty pounds has been issued and advanced by Your Majesty through the Lieutenant Governor to the Serjeant at Arms to enable him to defray his expences in executing an Order of Your Commons House of Assembly, *Be it further enacted by the authority aforesaid*, That out of the fund or funds subject to the disposition of the Parliament of this Province now remaining in the hands of the Receiver General and unappropriated, there shall be issued and applied the sum of sixty pounds to make good the said sum which has been issued and advanced in pursuance of the aforesaid Address.

£60 granted to make good that sum advanced by His Majesty to defray the expence of the Serjeant at Arms in executing an order of the House of Assembly.

III. *And be it further enacted by the authority aforesaid*, That the due application of the said sums of money pursuant to the directions of this Act, shall be accounted for to His Majesty His Heirs and Successors through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty His Heirs and Successors may be graciously pleased to direct.

The said sums to be accounted for to His Majesty thro' the Lords Comm. of His Treasury.

C H A P. XXIII.

An Act granting to His Majesty a Sum of Money in aid of the funds for defraying the expences

of the Administration of Justice and support of the Civil Government of this Province.

[Passed 14th April, 1821.]

MOST GRACIOUS SOVEREIGN.

Preamble.

WHEREAS Your Majesty's faithful Commons have voluntarily and freely resolved to grant to Your Majesty a Supply, to defray certain charges for the Administration of Justice and support of the Civil Government of this Province, We Your Majesty's dutiful and loyal Subjects the Commons of Upper Canada in Provincial Parliament assembled, beseech Your Majesty that it may be enacted, and Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and out of the rates and duties raised levied and collected, or hereafter to be raised levied and collected, to and for the public uses of this Province and in the hands of the Receiver General and unappropriated, there be appropriated the sum of three thousand eight hundred and eleven pounds Sterling, which said sum of three thousand eight hundred and eleven pounds Sterling shall be applied in aid of the funds already appropriated by an Act of the Parliament of Great Britain passed in the fourteenth year of His late Majesty's Reign, entitled "An Act to establish a Fund towards further defraying the charges of the Administration of Justice and support of the Civil Government within the Province of Quebec in America" towards the following Services, for the year one thousand eight hundred and twenty one:

£3811 sterling granted towards defraying the charges of the administration of Justice and support of the Civil Government of this Prov. for the year 1821.

How to be applied.

For the Administration of Justice
Office of the Government
Receiver General's Office
Executive Council Office
Secretary and Register's Office
Surveyor General's Office
Inspector General's Office
Government Printer
Repairs and Contingencies of the Government House
Casual and other expences

An account in detail of monies paid under this Act to be laid before the House of Assembly.

and shall be paid by the Receiver General of this Province in discharge of such warrant or warrants as shall for that purpose be issued by the Governor Lieutenant Governor or Person administering the Government of this Province, and shall be accounted for to His Majesty through the Lords Commissioners of His Treasury in such manner and form as His Majesty His Heirs and Successors shall be graciously pleased to direct.

And the balance which may remain unexpended to be subject to the future disposition of Parliament.

II. *Provided always, and be it further enacted by the authority aforesaid,* That an account in detail of all monies paid under the authority of this Act be transmitted to be laid before the Commons House of Assembly at the then next ensuing Session of Parliament. And *Provided also,* That so much of the said sum as may remain unexpended shall be subject to the future disposition of Parliament.

C H A P. XXIV.

An Act to make provision for compensating District Treasurers for duties imposed on them by the several Acts of this Province relative to Common Schools.

[Passed 14th April, 1821.]

WHEREAS a duty has been and is imposed on the Treasurers of Districts in this Province, in receiving paying and accounting for the several sums of money granted to their respective Districts for the use of Common Schools therein, for which duties no compensation has been allowed by Law, and it is expedient to make provision for granting such compensation: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That it shall and may be lawful for the Governor Lieutenant Governor or Person administering the Government of this Province to direct the Inspector General or other Officer to whom the duty appertains, to allow to the Treasurer of any District in this Province, in any settlement of accounts relative to monies received paid and expended therein by him for Common Schools, the sum of three pounds for every one hundred pounds, which may have been paid through the hands of such Treasurer, *Provided* such Treasurer shall produce proper vouchers to prove that such sum or sums of money as may have been paid into his hands for the use of Common Schools, has or have been expended and paid according to the intent and meaning of the Acts of this Province relating to the said Common Schools.

Preamble.

District Treasurers to be allowed to retain 3 per cent on all monies which may have passed through his hands under the Acts relative to the establishment of Common Schools.

Provided that such Treasurer produce proper vouchers for the expenditure of the monies according to the intention of the several School Acts.

C H A P. XXV.

An Act to appropriate a sum of Money towards opening and completing the Great Line of Communication from the Ottawa River passing through Richmond and Perth to Kingston.

[Passed 14th April, 1821.]

MOST GRACIOUS SOVEREIGN.

WHEREAS the remote situation of and difficulty of access to some of the new settlements in the County of Carleton, render it expedient to open and complete a new Line of Communication between Richmond Point on the Ottawa River and Kingston, and whereas Your Majesty's Commander of the Forces by His written Communication to Your Majesty's Lieutenant Governor of this Province, has expressed His desire to assist in opening the said Road, And whereas it is the desire of Your Majesty's faithful Commons of this Province to contribute towards the same, May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by vir-

Preamble.

tue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That from and out of the rates and duties already raised levied and collected, or hereafter to be raised levied and collected, to and for the public uses of this Province, and in the hands of the Receiver General thereof unappropriated, there be granted to His Majesty His Heirs and Successors the sum of two hundred pounds, which said sum of two hundred pounds shall be appropriated, applied and disposed of in opening and completing the said new Road.

200L granted to aid in opening the road from Richmond on the Ottawa to Kingston.

II. *And be it further enacted by the authority aforesaid,* That at any time from and after the passing of this Act, it shall and may be lawful for the Governor Lieutenant Governor or Person administering the Government of this Province, to appoint a Commissioner or Commissioners for carrying the provisions of this Act into effect.

A Commissioner to be appointed.

III. *And be it further enacted by the authority aforesaid,* That the money hereby granted to His Majesty, shall be paid by the Receiver General in discharge of such warrant or warrants as shall for the purpose herein set forth be issued by the Governor Lieutenant Governor or Person administering the Government of this Province, and the Receiver General shall account to His Majesty His Heirs and Successors for the same, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty His Heirs and Successors shall be graciously pleased to direct.

How the money hereby granted is to be paid and accounted for.

C H A P. XXVI.

An Act to remunerate the Clerk of the Crown in Chancery for past Services, and to provide for the future payment of that Officer.

[Passed 14th April, 1821.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it is expedient to provide for the payment of a Salary to the Clerk of the Crown in Chancery, and to remunerate him for past Services, We Your Majesty's dutiful and loyal Subjects the Commons of Upper Canada in Provincial Parliament assembled beseech Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That from and out of the rates and duties raised, levied and collected or hereafter to be

Preamble.

raised levied and collected to and for the uses of this Province, and in the hands of the Receiver General unappropriated, there be granted to His Majesty, His Heirs and Successors, for the present year the sum of two hundred pounds, and annually in each and every succeeding year the sum of fifty pounds, which said sum of two hundred pounds and fifty pounds shall be appropriated applied and disposed of as follows, that is to say, To Samuel Peters Jarvis, Esquire, for past services as Clerk of the Crown in Chancery, the said sum of two hundred pounds; to the Clerk of the Crown in Chancery, for the time being, annually in each and every year, the sum of fifty pounds, to commence and be payable from and after the first of March one thousand eight hundred and twenty one.

II. *And be it further enacted by the authority aforesaid,* That the said sums of two hundred pounds and fifty pounds respectively, shall be paid by the Receiver General of this Province in discharge of such Warrant or Warrants as shall for that purpose from time to time be issued by the Governor, Lieutenant Governor or Person administering the Government of this Province, and shall be accounted for to His Majesty His Heirs and Successors through the Lords Commissioners of His Treasury, for the time being in such manner and form as His Majesty His Heirs and Successors shall be graciously pleased to direct.

III *And be it further enacted by the authority aforesaid,* That this Act shall continue and be in force for four years, and from thence to the end of the then next ensuing Session of Parliament.

200*l.* granted to S. P. Jarvis Clk of the Crown in Chancery to remunerate him for past services in his office, and 50*l.* per annum to commence from 1st March next.

Money how to be paid and accounted for.

Continuance of this Act.

C H A P. XXVII.

An Act to repeal an Act passed in the fifty-sixth year of His late Majesty's Reign, entitled, "An Act to increase the Salary of the Speaker of the House of Assembly, and to remunerate the present Speaker for past services."

[Passed 14th April, 1821.]

WHEREAS the Salary to the Speaker of the House of Assembly is deemed disproportioned to the present revenue of the Province, it is therefore deemed expedient to reduce the same: Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That an Act passed in the fifty sixth year of His late Majesty's Reign, entitled "An Act to increase the Salary of the Speaker of the House of Assembly, and to remunerate the present Speaker for past services" be and the same is hereby repealed.

Preamble:

56th Geo 3 ch 27, repealed.

C H A P. XXVIII.

An Act to afford relief to John Wagstaff of the Town of Niagara, Tin-smith.

[Passed 14th April, 1821.]

Preamble.

WHEREAS the property of John Wagstaff, of the Town of Niagara, was by different Inquisitions held under and by virtue of an Act of the Parliament of this Province, passed in the fifty fourth year of His late Majesty's Reign, entitled "An Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty" vested in His said Majesty, And whereas the said John Wagstaff being advised that by Law his property was not liable to forfeiture, did after his return to this Province erect expensive improvements upon a certain Lot in the Town of Niagara, which he has prayed to be permitted to remove: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the said John Wagstaff shall and may at any time within six months after the sale of the said Lot or Lots be permitted to remove the said Buildings, any Law to the contrary thereof in anywise notwithstanding.

John Wagstaff an alien allowed to remove certain buildings heretofore erected by him on a lot or lots of land in the Town of Niagara which have vested in the King by Inquisition.

C H A P. XXIX.

An Act to empower certain Trustees therein mentioned, to sell and convey a certain Lot of Land in the Town of York, and to purchase another Lot or Tract of Land for the use and accommodation of a Roman Catholic Congregation.

[Passed 14th April, 1821.]

Preamble.

WHEREAS by Letters Patent under the Great Seal of this Province, bearing date the twenty-fifth day of March, one thousand eight hundred and six, a certain Lot of Land in the Town of York, in the Home District, described as Lot No. Six, on the corner of George and Duke Streets, containing about one Acre of Land, was granted to the Honorable James Baby, the Rev. Alexander McDonell, and John Small, Esquire, in trust for the use and accommodation of a Roman Catholic Congregation, in the said Town of York and its vicinity, And whereas it hath been represented by the said Trustees, that the said Lot of Land is insufficient and inconvenient for the use and purposes intended by the said grant, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make

further provision for the Government of the said Province," and by the authority of the same, That the said Trustees be empowered and authorised, and they or any two or more of them are hereby empowered and authorised by deed of conveyance under their hands and seals, to grant, bargain, sell and convey in fee simple the aforesaid Lot of Land, described as Lot No. Six, on the corner of George and Duke Streets, in the Town of York, aforesaid, with its appurtenances, unto such person or persons as may be disposed to purchase the same.

Trustees of a certain lot of land in York to the use of a Roman Catholic Congregation allowed to sell the same

II. *And be it further enacted by the authority aforesaid,* That the Trustees aforesaid or any two or more of them, shall and may, and they are hereby empowered and required to vest the money accruing from the sale of the Lot of Land aforesaid, in the purchase of such other Lot or Tract of Land in or near the Town of York aforesaid, as they the said Trustees shall in their discretion deem to be proper and convenient for the use and accommodation of a Roman Catholic Congregation in the said Town of York and its vicinity, and the said Trustees or any two or more of them, are hereby empowered and required to receive and take a conveyance of the Land, so to be by them purchased as aforesaid, with the money aforesaid, in trust for the use and purposes aforesaid, and with succession and limitation of the said Trust as may be deemed expedient to secure the same in perpetuity, for the use and purposes aforesaid, according to the true intent and meaning of the Letters Patent herein before mentioned.

and to purchase other land in York in trust for the same purpose.

C H A P. XXX.

An Act to afford Relief to Edmund Mott and John Blanchard of the District of Johnstown.

[Passed 14th April, 1821.]

WHEREAS by a certain Act passed in the fifty-fourth year of His late Majesty's Reign, entitled "An Act to declare certain persons therein described Aliens and to vest their Estates in His Majesty" it was therein provided that nothing in the said Act contained should be construed to prevent any person interested in the said lands from Traversing any Inquisition or Office respecting the same at any time within one year after the Peace shall be established between His Majesty and the United States of America or within one year after the finding of such Inquisition: And whereas Edmund Mott and John Blanchard of Elizabethtown, in the District of Johnstown, have not been able to avail themselves of such provision whereby His Majesty has become seized in Law of the Real Estates of the said Edmund Mott and John Blanchard under and by virtue of several Inquisitions returned to His Majesty's Court of King's Bench against them respectively: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in

Preamble.

Edmund Mott and J Blanchard allowed to traverse within six months any Inquisition of office whereby their real estate may have been affected.

North America. and to make further provision for the Government of the said Province” and by the authority of the same, That it shall and may be lawful for the said Edmund Mott and John Blanchard at any time within six months from the passing of this Act to Traverse all or any Inquisition or Office whereby their Real Estates in the District of Johnstown may in any manner be affected or to bar them or their heirs from any right they may have at Common Law.

C H A P. XXXI.

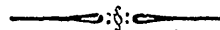
An Act to afford Relief to Samuel Hull and Esther Phelps.

[Passed 14th April, 1821.]

WHEREAS by a certain Act passed in the fifty-fourth year of His late Majesty's Reign, entitled “An Act to declare certain persons therein described Aliens and to vest their Estates in His Majesty” it was therein provided that nothing in the said Act contained should be construed to prevent any persons interested in the said Lands from Traversing any Inquisition or Office respecting the same at any time within one year after the Peace shall be established between His Majesty and the United States of America, or within one year after the finding of such Inquisition, And whereas Samuel Hull of Aldborough and Esther Phelps of the Grand River in the County of Haldimand have not been able to avail themselves of such provision whereby His Majesty has become seized in Law of certain Real Estates of the said Samuel Hull and Esther Phelps under and by virtue of several Inquisitions returned to His Majesty's Court of King's Bench against them respectively, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled ‘An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province’” and by the authority of the same, That it shall and may be lawful for the said Samuel Hull and Esther Phelps and each of them at any time within six months from the passing of this Act to Traverse all or any Inquisition or Office whereby the Real Estate of either of them may in any manner be affected or to bar them or their heirs or any of them from any right they or either of them may have at Common Law.

Preamble.

Samuel Hull & Esther Phelps allowed to traverse within 6 months certain Inquisitions of office returned against them.



ERRATUM.—The following line was omitted at the foot of the 39th page :

declared to be payable, shall be paid by the Receiver General of this Pro-